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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH

UT ST-ENVIRONMENTAL QUALITY

168 N 1950 W 1ST FL

SLC UT 84116

BY: ZJM, DEPUTY - MA 7 P.

When recorded return to:  
Utah Department of Environmental Quality  
Division of Environmental Response and Remediation  
Attention: Voluntary Program Coordinator  
168 North 1950 West, 1<sup>st</sup> Floor  
Salt Lake City, Utah 84116

RE: Simpson Steel (VCP# C037), 120 West Fireclay Avenue, Murray, Utah

## CERTIFICATE OF COMPLETION

### 1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of the Utah Department of Environmental Quality, through her undersigned designee below, has determined that Fireclay Investment Partners LLC, hereinafter referred to as "Applicant", has completed a Utah Department of Environmental Quality ("UDEQ") supervised voluntary cleanup of the real property described in Attachment A (the "Property" or "Site"), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Annotated and the Voluntary Cleanup Agreement entered into on December 10, 2008. The Applicant is granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in paragraph three below. A figure depicting the Property is located in Attachment B.

### 2. Acknowledgment of Protection From Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Annotated to an Applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the Applicant applied to enter into a Voluntary Cleanup Agreement, and to future owners who acquire the Property covered by this COC, and to lenders who make loans secured by the Property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for a release or contamination, or to an owner or lender who changes the land use from the use specified in the COC, if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment, or to an owner or lender who causes further releases on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation, or the knowing failure to disclose material information.

Finally, protection from liability is limited to contamination identified in the documents related to the investigation and cleanup of the Property.

SCANNED

### **3. Specified Land Use for Certificate of Completion**

The future land use of this Site will consist of residential uses, consistent with the residential exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. The residential exposure scenario is described as: exposure to adults to hazardous constituents for duration of 30 years at a frequency of 350 days/year.

Based on the data and information submitted, the investigation and cleanup completed under the Voluntary Cleanup Agreement is protective for the land use described above. The future land use of this site is not limited by any environmental restriction except that groundwater will not be accessed via wells, pits or sumps for drinking water, bathing and/or irrigation purposes.

### **4. Unavailability of Release of Liability**

Use of the Property that is not consistent with section three including failure to comply with the provisions of this COC, shall constitute a change in land use expected to result in increased risks to human health/ the environment making the release of liability in section two above unavailable.

### **5. Availability of Records**

All documents discussed in this COC are on file and may be reviewed at the UDEQ/Division of Environmental Response and Remediation (DERR) office located at 168 North 1950 West, Salt Lake City, Utah.

**6. Final Signature for Simpson Steel Certificate of Completion**

Dated this 22 day of March, 2010

Brent H. Everett

Brent H. Everett, Director  
Division of Environmental Response and Remediation  
And Authorized Representative of the  
Executive Director of the  
Utah Department of Environmental Quality

STATE OF UTAH )

:SS

COUNTY OF SALT LAKE )

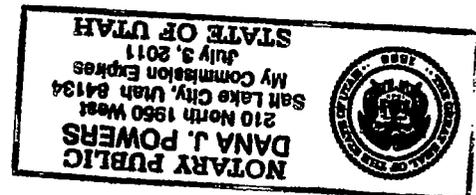
On this 22 day of MARCH, 2010, personally appeared before me,

Brent H. Everett who duly acknowledged that he/she signed the above Certification of  
Completion as an authorized representative of the Executive Director of the Department of  
Environmental Quality.

Dana J. Powers  
NOTARY PUBLIC

Residing At: \_\_\_\_\_

My Commission Expires 7-3-2011



Attachments: Attachment A: Legal Property Description  
Attachment B: Figure of Simpson Steel

# **ATTACHMENT A**

Simpson Steel  
Legal Property Description

The Simpson Steel Site is located at 120 West Fireclay Avenue in Murray and consists of the following-described real property situated in Salt Lake County, State of Utah:

BEGINNING AT A POINT WHICH THE NORTH RIGHT OF WAY LINE OF A STATE HIGHWAY INTERSECTS THE WEST RIGHT OF WAY LINE OF THE O.S.L.R.R., SAID POINT BEING NORTH 164.03 FEET AND WEST 23.58 FEET FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 10, TEN ACRE PLAT "A", BIG FIELD SURVEY, AND RUNNING THENCE S89°47'30"W ALONG THE NORTH RIGHT OF WAY LINE OF A STATE HIGHWAY 642.20 FEET TO A FENCE ON THE EAST SIDE OF THE DENVER & RIO GRANDE WESTERN RAILROAD; THENCE N1°56' 00"W ALONG SAID FENCE 278.14 FEET; THENCE N4°14' 00"W ALONG SAID FENCE 420.00 FEET; THENCE WEST, 6.33 FEET TO A FENCE ON THE EAST LINE OF THE DENVER AND RIO GRANDE WESTERN RAILROAD; THENCE N6°17'00"E, 1151.63 FEET ALONG SAID FENCE LINE TO AN OLD FENCE LINE; THENCE S79°23'20"E, 301.61 FEET ALONG SAID OLD FENCE LINE; THENCE N05°23'00"W, 33.36 FEET TO THE CENTER OF BIG COTTONWOOD CREEK; THENCE N75°21'30"E, 57.94 FEET ALONG THE CENTERLINE OF CREEK; THENCE S6°10'00"E, 475.31 FEET; THENCE N89°00'00"E, 169.70 FEET; THENCE N01°00'00"W, 36.94 FEET; THENCE N6°29'30"W, 208.53 FEET; THENCE S63°31'30"E, 61.00 FEET; THENCE S74°36'20"E, 75.97 FEET; THENCE N80°59'30"E, 64.44 FEET; THENCE S9°00'03"E, 205.92 FEET; THENCE 221.55 FEET ALONG THE ARC OF A 2806.79 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS S6°05'43"E, 221.49 FEET); THENCE S89°00'00"W, 344.97 FEET; THENCE SOUTH, 376.18 FEET; THENCE WEST, 25.20 FEET; THENCE SOUTH, 247.00 FEET; THENCE EAST, 397.10 FEET; THENCE S0°34'30"W, 515.98 FEET TO THE POINT OF BEGINNING.

CONTAINS: 20.6318 ACRES

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT A POINT NORTH, 1333.16 FEET AND WEST 390.30 FEET FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 10, TEN ACRE PLAT A, BIG FIELD SURVEY, AND RUNNING THENCE SOUTH, 60.01 FEET; THENCE N89°00'00"E, 371.83 FEET TO A POINT ON A CURVE TO THE LEFT ON THE WEST RIGHT OF WAY LINE OF THE O.S.L.R.R., THE RADIUS POINT OF WHICH IS S86°47' 56"W, 2831.79 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID WEST LINE OF RAILROAD 60.08 FEET; THENCE S89°00'00"W, 367.84 FEET TO THE POINT OF BEGINNING.

**Tax Parcel Numbers:** 21012530020000, 21012530024001, 21012530024002, 21012270074002, 21012770030000

**ATTACHMENT B**

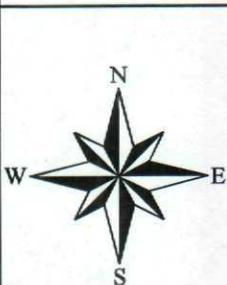
Simpson Steel Figure



**Legend**

 Approximate Site Boundary

0 70 140 280 420 560 Feet



Utah Department of  
Environmental Quality  
Division of Environmental  
Response and Remediation

**FIGURE 1**

Simpson Steel Property (VCP# C037)  
120 West Fireclay Avenue  
Murray City

Salt Lake County, Utah

by: JHK

date: 3/1/2010